

December 3, 2007

DECISION AND ORDER  
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: December 3, 2007

Case Number: RB272-10153

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge refund applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate were eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). In order to receive this supplemental refund check, applicants were required to verify that their name and address in our records was correct, to correct any information that was not accurate, and to verify whether the refund could not be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

On August 20, 2007, the DOE announced that a final additional \$0.000083748502302897 per gallon refund would be paid to all applicants who had been found eligible for the \$0.000695389 per gallon supplemental refund announced on January 13, 2006. 72 Fed. Reg. 46461 (August 20, 2007). We have previously ordered the payment of the \$0.000695389 per gallon supplemental refund to the applicants listed in the Appendix to this decision. Therefore, this decision approves final supplemental refunds of \$0.000083748502302897 per gallon to these applicants. Refunds are rounded to the nearest dollar. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 181 applicants, totaling \$14,805.00.

It Is Therefore Ordered That:

(1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to URAC Corp., on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$14,805.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.

(2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.

(3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information  
Office of Hearings and Appeals  
Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585-0107

(4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.

(5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

Poli A. Marmolejos  
Acting Director  
Office of Hearings and Appeals

Date: December 3, 2007

**Appendix - Supplemental Refund Case No. RB272-10153**

<b>Case No.</b>	<b>Firm</b>	<b>Volume</b>	<b>Refund</b>
RF272-39342	ELIAS MALLOUK REALTY CORP.	3,984,672	\$334.00
RF272-42433	LASIGNORA ESTATES	973,500	\$82.00
RF272-42480	LENTNEK MANAGEMENT CO.	1,906,069	\$160.00
RF272-42481	HARVEY JAME	3,041,559	\$255.00
RF272-43476	BENJAMIN FREY	1,353,763	\$113.00
RF272-43818	GLADSTONE SINCKLER	155,700	\$13.00
RF272-43820	SIDNEY KALIKOW	8,521,914	\$714.00
RF272-43821	HEWLETT ASSOCIATES	4,083,308	\$342.00
RF272-43822	ST. ROBERT BELLARMINE CHURCH	102,172	\$9.00
RF272-44095	LONGWOOD CENTRAL SCHOOL DIST.	2,690,230	\$225.00
RF272-44097	YOUNG ISRAEL OF FAR ROCKAWAY	48,500	\$4.00
RF272-44098	ANCHOR MOTOR INN	400,200	\$34.00
RF272-44754	DAYTON TOWERS CORP.	8,136,585	\$681.00
RF272-45092	TRAUTMAN REALTY, INC.	28,000	\$2.00
RF272-45093	COLDWELL BANKER GEN. REALTY	42,000	\$4.00
RF272-45103	BERMAN & SONS, INC.	3,080,000	\$258.00
RF272-45105	JOSEPH T. MACARI	407,661	\$34.00
RF272-45345	EAST END TEMPLE	140,000	\$12.00
RF272-47776	BRONX HOUSE, INC.	102,417	\$9.00
RF272-49571	WANTAGH SCHOOL DIST.	1,350,000	\$113.00
RF272-50160	CARROLL GARDENS APARTMENTS	395,128	\$33.00
RF272-51270	OUR LADY OF REFUGE CHURCH	303,150	\$25.00
RF272-53450	ORIN MGMT. CORP.	98,113	\$8.00
RF272-53451	ORIN MGMT. #8300	480,093	\$40.00
RF272-53452	ORIN MGMT. #511	174,260	\$15.00
RF272-53453	MORKY SOHN	148,363	\$12.00
RF272-53454	ROSALIE PROPERTIES	158,626	\$13.00
RF272-53455	ORIN MGMT. #3656	310,809	\$26.00
RF272-53456	ORIN MGMT. #3619	400,099	\$34.00
RF272-53457	ORIN MGMT. #3555	302,549	\$25.00
RF272-53458	MORDY SHOHN SPECIAL	424,691	\$36.00
RF272-53459	ORIN MANAGEMENT CORP.	235,617	\$20.00
RF272-53460	BRYANT HOLDING CO.	156,175	\$13.00
RF272-53461	HARDER HOLDING CO.	479,080	\$40.00
RF272-53462	DEEPSTONE HOLDING CO.	416,379	\$35.00
RF272-53463	ORIN MGMT. #200	360,804	\$30.00
RF272-53464	ORIN MGMT. #180	179,043	\$15.00
RF272-53465	PINKY SOHN	169,741	\$14.00
RF272-53466	MORDY SOHN #2	209,005	\$18.00
RF272-53467	ORIN MGMT. #137	431,541	\$36.00
RF272-53468	ORIN MGMT. #115	94,292	\$8.00
RF272-53469	ORIN MGMT. #114	435,620	\$36.00
RF272-53752	MARYLAND CORK CO., INC.	341,690	\$29.00
RF272-53790	TEDPIN REALTY MGMT., INC.	1,760,700	\$147.00
RF272-53988	CRYDER HOUSE, INC.	489,365	\$41.00
RF272-55846	BEAUCHAMP APARTMENTS, INC.	375,000	\$31.00
RF272-56287	ST. FRANCIS XAVIER SCHOOL	130,000	\$11.00
RF272-56929	MARTIN & HELEN NUSSDORF	149,277	\$13.00
RF272-57173	763 HOLDING CORP.	27,907	\$2.00
RF272-57174	46 ESTATES CORP.	21,581	\$2.00
RF272-57175	WEST 46 EQUITIES, INC.	15,206	\$1.00
RF272-57176	H.K.L. REALTY CORP.	48,819	\$4.00
RF272-58365	ST. CHRISTOPHERS - OTTILIE	3,694,184	\$309.00
RF272-58423	EAST ROCKAWAY NURSING HOME	190,115	\$16.00
RF272-58425	AMERICAN VILLAGE CORP.	92,165	\$8.00

RF272-58482	CIAMPA MANAGEMENT CORP.	1,288,000	\$108.00
RF272-58527	PLAINEDGE U.F.S.D. - GEN FUND	3,358,349	\$281.00
RF272-58994	MOUNT SINAI UNION FREE SCHOOL	592,628	\$50.00
RF272-58995	MERRICK U.F.S.D.	567,624	\$48.00
RF272-59178	BIRCHWOOD NURSING HOME	410,670	\$34.00
RF272-59352	STARK MANAGEMENT CO. INC.	2,520,000	\$211.00
RF272-61049	PORT JEFFERSON UNION FREE SCHL	1,444,528	\$121.00
RF272-62667	WYOMING LEASING CO.	341,495	\$29.00
RF272-62668	WILLIAMSBURG LEASING CORP.	664,423	\$56.00
RF272-62669	VIRGINIA GARDENS INC.	488,533	\$41.00
RF272-62670	UTAH LEASING CO.	225,115	\$19.00
RF272-62671	WESTPOINT LEASING CORP.	632,650	\$53.00
RF272-62672	WESTWOOD LEASING CO.	396,316	\$33.00
RF272-62673	WESTPORT REALTY CO.	782,498	\$66.00
RF272-62923	ELM LEASING CO.	509,004	\$43.00
RF272-62924	EARTH LEASING CORP.	401,626	\$34.00
RF272-62925	KINGS HWY. PROPERTY CORP.	416,109	\$35.00
RF272-62926	MAINE LEASING CO.	353,032	\$30.00
RF272-62927	SINGAPORE LEASING CO.	2,797,886	\$234.00
RF272-62928	LENEX LEASING CO.	671,782	\$56.00
RF272-62929	LIFE MANAGEMENT CORP.	356,688	\$30.00
RF272-62930	STANFORD LEASING CORP.	795,944	\$67.00
RF272-62931	KANSAS LEASING CORP.	298,284	\$25.00
RF272-62932	IMPERIAL LEASING CORP.	271,554	\$23.00
RF272-62933	GREENWICH LEASING CORP.	410,648	\$34.00
RF272-62935	LONDON LEASING CO.	1,542,877	\$129.00
RF272-62936	SYRACUSE LEASING CORP.	539,077	\$45.00
RF272-62937	TENNESSEE LEASING CORP.	514,381	\$43.00
RF272-62938	DANBURY LEASING CO.	407,759	\$34.00
RF272-62939	SYDNEY LEASING CO.	3,056,975	\$256.00
RF272-62940	PORTLAND LEASING CO.	332,639	\$28.00
RF272-62941	IOWA LEASING CO.	270,834	\$23.00
RF272-62942	INDIANA LEASING CO.	568,785	\$48.00
RF272-62943	FORD LEASING CORP.	352,177	\$29.00
RF272-62944	GARDEN LEASING CORP.	360,329	\$30.00
RF272-62945	DOVER LEASING CO.	663,129	\$56.00
RF272-62946	DELAWARE LEASING CO.	408,463	\$34.00
RF272-62947	REGENT LEASING CO.	464,896	\$39.00
RF272-62948	DARTMOUT REALTY CO.	419,713	\$35.00
RF272-62949	DAKOTA LEASING CO.	889,913	\$75.00
RF272-62950	HOLLYWOOD LEASING CO.	819,174	\$69.00
RF272-62951	PRINCETON LEASING CO.	765,584	\$64.00
RF272-62952	AUBURN LEASING CORP.	680,038	\$57.00
RF272-62953	CAMBRIDGE LEASING CORP.	568,253	\$48.00
RF272-62954	CALIFORNIA LEASING CO.	784,850	\$66.00
RF272-62955	BUCKNELL REALTY CO.	412,881	\$35.00
RF272-62956	MISSOURI LEASING CO.	321,592	\$27.00
RF272-62958	NAUTILUS REALTY CO.	421,085	\$35.00
RF272-62959	NATIONAL REALTY CO.	575,184	\$48.00
RF272-62960	NATIONAL REALTY CO.	734,781	\$62.00
RF272-62961	MOUNT HOUSING CO., INC.	1,395,136	\$117.00
RF272-62962	MONTICELLO REALTY CO.	714,607	\$60.00
RF272-62963	MONTE CARLO LEASING CO.	376,147	\$32.00
RF272-62964	MONTAUK REALTY CO.	235,755	\$20.00
RF272-62965	NORTH CAROLINA LEASING CO.	633,943	\$53.00
RF272-62966	NORTHWESTERN REALTY CO.	448,409	\$38.00
RF272-62967	CANADA LEASING CORP.	2,879,056	\$241.00
RF272-62968	COMMUTER HOUSING CO., INC.	751,424	\$63.00
RF272-62969	COLGATE LEASING CORP.	440,633	\$37.00

RF272-62970	CITADEL REALTY CO.	418,268	\$35.00
RF272-62971	CAROLINA GARDENS, INC.	1,810,749	\$152.00
RF272-62972	CORNELL LEASING CORP.	581,803	\$49.00
RF272-62973	ATLANTIS LEASING CORP.	820,014	\$69.00
RF272-62974	ARCADIA LEASING CO.	361,236	\$30.00
RF272-62977	ARKANSAS LEASING CO.	482,676	\$40.00
RF272-62978	ANNAPOLIS REALTY CO.	405,381	\$34.00
RF272-62979	AMHERST REALTY CO.	290,325	\$24.00
RF272-62980	341 PROSPECT ASSOCIATES	1,337,138	\$112.00
RF272-62981	2020 BRUCKNER ASSOCIATES	2,084,098	\$175.00
RF272-62982	CADILLAC LEASING CO.	1,207,104	\$101.00
RF272-62983	BOULEVARD ASSOCIATES	2,498,402	\$209.00
RF272-62984	BIRCH LEASING CO.	599,797	\$50.00
RF272-62985	BEVERLY HILLS LEASING CO.	641,511	\$54.00
RF272-62986	BEL AIR LEASING CO.	776,714	\$65.00
RF272-62987	PENNSYLVANIA LEASING CO.	527,571	\$44.00
RF272-63006	BRAZILIA LEASING CO.	2,741,287	\$230.00
RF272-63007	MARTINIQUE REALTY CO.	396,462	\$33.00
RF272-63008	MARYLAND LEASING CO.	525,939	\$44.00
RF272-63009	MASSACHUSETTS LEASING CO.	668,110	\$56.00
RF272-63010	MINNESOTA LEASING CO.	518,293	\$43.00
RF272-63011	SHALIMAR LEASING CO.	2,725,478	\$228.00
RF272-63012	GEORGETOWN LEASING CORP.	415,708	\$35.00
RF272-63013	HARVARD LEASING CORP.	485,570	\$41.00
RF272-63014	LIFE LEASING CO.	353,032	\$30.00
RF272-63015	HAMPTON REALTY CO.	370,791	\$31.00
RF272-63016	OXFORD LEASING CO.	720,209	\$60.00
RF272-63017	NEBRASKA LEASING CO.	600,183	\$50.00
RF272-63018	NEW YORKER LEASING CO.	665,377	\$56.00
RF272-63019	NEWPORT LEASING CO.	280,921	\$24.00
RF272-63022	LIFE LEASING CO.	353,032	\$30.00
RF272-63023	BRUSSELLS LEASING CO.	1,541,490	\$129.00
RF272-63032	LINCOLN LEASING CO.	598,190	\$50.00
RF272-63036	PERU LEASING CO.	2,802,966	\$235.00
RF272-63037	TULANE REALTY CO.	736,288	\$62.00
RF272-63038	RIVIERA LEASING CO.	493,018	\$41.00
RF272-63039	LAFRANCE LEASING CO.	1,608,145	\$135.00
RF272-63040	PERDUE LEASING CORP.	511,372	\$43.00
RF272-63041	SURF LEASING CO.	369,007	\$31.00
RF272-63042	SYCAMORE LEASING CO.	539,077	\$45.00
RF272-63043	OCEAN LEASING CO.	603,343	\$51.00
RF272-63044	GRAND LEASING CO.	552,877	\$46.00
RF272-63045	NOTRE DAME LEASING CORP.	691,424	\$58.00
RF272-63049	QUINCY REALTY CO.	720,209	\$60.00
RF272-63050	RIDGE LEASING CO.	986,537	\$83.00
RF272-63051	TEXAS LEASING CO.	728,241	\$61.00
RF272-63052	TOWN LEASING CORP.	735,172	\$62.00
RF272-63053	OAK LEASING CO.	615,047	\$52.00
RF272-63054	PASADENA LEASING CO.	451,867	\$38.00
RF272-63055	PLYMOUTH LEASING CORP.	234,320	\$20.00
RF272-63056	RACKFELL APARTMENTS ASSOCIATES	1,120,217	\$94.00
RF272-63057	MAPLE LEASING CO.	623,345	\$52.00
RF272-63058	MARSEILLES LEASING CO.	951,697	\$80.00
RF272-63431	UESS LEASING CORP.	3,078,833	\$258.00
RF272-63435	ROME LEASING CO.	2,657,300	\$223.00
RF272-63538	WASHINGTON LEASING CORP.	684,102	\$57.00
RF272-63543	WELLINGTON LEASING CO.	2,898,661	\$243.00
RF272-63563	WETHEROLE HOLDING CORP.	558,119	\$47.00
RF272-63564	YAILLE LEASING CORP.	611,678	\$51.00

RF272-63847	OWNERS IN COMMON	407,000	\$34.00
RF272-63848	LND SHACHNOW	2,016,607	\$169.00
RF272-64233	DENN PARTNERS	341,000	\$29.00
RF272-64323	WISCONSIN LEASING CO.	386,177	\$32.00
RF272-75560	WINGATE MANAGEMENT CORP.	10,783,786	\$903.00
RF272-75602	WINGATE MANAGEMENT CORP.	5,073,271	\$425.00
RF272-78710	WOODMERE ACADEMY	346,796	\$29.00
RF272-82008	NOSTRAND GARDENS CO-OP	1,933,031	\$162.00
<b>Totals</b>	<b>181 Applicants</b>	<b>176,646,691</b>	<b>\$14,805.00</b>